

JOHNSON LAW OFFICE
Roy W. Johnson
Attorney at Law
15 N 26th Street, Suite 303
P. O. Box 178
Billings, Montana 59103
Tele: (406) 294-1460 Fax (406) 294-1463

FILED

MAY 20 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

BEFORE THE COMMISSION ON PRACTICE OF THE
SUPREME COURT OF THE STATE OF MONTANA

IN THE MATTER OF)	SUPREME COURT CAUSE NO.: PR09-0224
ROY W. JOHNSON, JR.,)	
)	ODC FILE NO. 08-185
An Attorney at Law,)	
)	<u>RESPONSE TO COMPLAINT</u>
)	
<u>Respondent.</u>)	

Responding to general allegations, and with all due respect, in the summer of 1969, I was between my junior and senior years of high school and had not even attended college let alone graduated from Law School. No doubt, had I made such an error, I would be charged with a violation of Rule 1.1, MRPC.

Responding to Court One: Paragraphs 3., 4., 5. and 6. are admitted, as are 7. and 8.

Paragraph 9 is denied. The pleading prepared was filed in the Guardianship Proceeding and should have been filed as a new parenting plan, even though complainant had not had his parental rights terminated by the guardianship proceeding. It seemed logical to me at the time the same cause no. could be used. In any event, the proper documentation was prepared, but complainant was out of town frequently and could not be reached for signature for some time.

Attached is a letter sent by my office to him explaining the situation. (Exhibit A)
However, Mr. Larson filed his complaint, and by doing so prohibited me from further proceeding on his behalf. Contrary to his representations, there was considerable work done on his behalf.

Paragraph 10 is therefore denied.

Responding to Count Two: I did not respond with particularity to the request for details of the problem with Mr. Larson. Even though a person is prohibited from proceeding on behalf of a client if a complaint is filed, that does not necessarily allow the attorney to divulge certain information, even to the ODC. Now that the matter has appeared on the front page of the Billings Gazette, (attached as Exhibit B) I think the article speaks for itself. Mr. Larson did not inform me of the issue beyond saying he had a Public Defender (Ms. Copenhaver-Landon) handling the Order of protection issue in the beginning. He did subsequently make mention of the issues raised in the article, which made the matter involving the children a much more significant problem than he had lead me to believe.

Dated this 19 day of May, 2009.




Roy W. Johnson, Attorney at Law

CERTIFICATE OF MAILING

I, ROY W. JOHNSON, do hereby certify that on the 19th day of May, 2009, I served the foregoing on opposing counsel of record by mailing same, postage prepaid, addressed as follows:

Shaun R. Thompson
Disciplinary Counsel
P. O. Box 1099
Helena, Montana 59624-1099



Roy W. Johnson, Attorney at Law

JOHNSON LAW OFFICE

ROY W. JOHNSON
ATTORNEY AT LAW
2910 MINNESOTA AVE.
BILLINGS, MONTANA 59101
Phone (406) 245-6182 Fax (406) 259-9475

DATE: 9/17/08

TO: Marty Larson

RE: Proposed Parenting Plan

ACTION

☒ For your information

☐ For your review

☐ Per your request

☐ For Filing

☐ Per conversation

☐ Please call

☐ For your signature

☐ Please return

COMMENT:

Marty:

Sorry for the confusion. I made a couple minor changes and put the parenting plan motion, etc. in my desk drawer to discuss with Roy before I mailed it. Unfortunately, I became ill and did not get back to the office until yesterday. The documentation was mailed to the Court and you today.

Thank you

Kim



Story available at <http://billingsgazette.net/articles/2009/04/15/news/state/18-casey.txt>

Published on Wednesday, April 15, 2009.
Last modified on 4/15/2009 at 12:30 am

Glendive mother's death 1 year ago remains unsolved

By **GREG TUTTLE**
Of The Gazette Staff

The death of a Glendive woman whose body was found in the Yellowstone River several weeks after she disappeared one year ago remains a mystery.

Authorities are saying little about the disappearance and death of Susan Casey, a 34-year-old mother of four who was reported missing by her family on April 12, 2008.

Two days after she went missing, Casey's ex-husband was arrested on a misdemeanor charge that was later dropped. No charges have been filed related to the case that investigators have described only as a suspicious death.

Dawson County Sheriff Craig Anderson and County Attorney Scott Herring referred questions about the status of the case to the Montana Attorney General's Office, although Herring did say the case remains an "active and ongoing investigation."

Kevin O'Brien, a spokesman for the Attorney General's Office, said the case remains under investigation and is being reviewed by the state agency's prosecutorial services bureau. O'Brien said he could not comment on any other aspects of the case, including how Casey died.

"We have not yet and cannot at this time release the cause of death in the Susan Casey case as it is part of the ongoing investigation," he said.

A message left for Casey's parents in Circle was not returned. Casey's husband in Glendive has an unlisted telephone number.

According to information previously released, Casey was last seen at 5 a.m. April 12 last year in downtown Glendive. A search was launched later that day after her family reported her missing.

The search grew into a massive effort during the following days and included dozens of volunteers who searched for Casey on foot, horseback, all-terrain vehicles, boats and aircraft in an area that eventually covered 1,700 square miles of Eastern Montana.

Searchers later focused their attention on the Interstate 94 corridor west toward Billings. Agents from the state Division of Criminal Investigation joined the case shortly after Casey was reported missing.

The search was suspended April 17, although authorities said the investigation was continuing and search efforts could be started again if new information surfaced.

The search was featured on the Web site of "America's Most Wanted."

Then on May 6, authorities announced that a body had been found in the Yellowstone River near Fallon in Prairie County. The body was later identified as Casey. Officials at the time declined to say how the woman died or how long they suspected she had been in the water.

A possible suspect in the case emerged two days after Casey disappeared when authorities arrested Walter Larson of Billings. Larson, Casey's ex-husband, was accused of violating a restraining order by making 44 telephone calls to Casey between April 10 and 12, the day she disappeared.

Larson posted a \$5,000 bond and pleaded not guilty to the misdemeanor charge. The charge was dismissed June 9 after Larson's attorney argued that Larson hadn't been notified of the restraining order.

Casey worked for 10 years at Glendive Medical Center in the medical-records department. Co-workers described her as an outgoing and cheerful person with exceptional customer service skills.

Copyright © The Billings Gazette, a division of Lee Enterprises.